

### **REMARKS**

Claims 12-17, 19 and 23-24 are pending in the present application. Claims 1 and 15 have been amended, as will be discussed below. No new matter has been added by way of the above amendments.

#### ***Issues under 35 USC § 112***

Claims 12-17, 19, 23 and 24 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification as to reasonably convey one skilled in the art that the inventors' had possession of the claimed invention at the time the application was filed.

While not acquiescing to the outstanding rejection, in order to expedite prosecution Applicants have deleted "form of enantiomers or of diastereoisomers, and also the mixtures thereof, including racemic mixtures". Thus, the outstanding rejection is rendered moot. Withdrawal thereof is respectfully requested.

Claim 12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

In response to the outstanding rejection Applicants have amended claim 12 to delete "a bond or". Thus, the outstanding rejection is rendered moot. Withdrawal thereof is respectfully requested.

#### ***Claim Objections***

In response to the Examiner's objection, claim 12 has been amended as suggested. Accordingly, Applicants respectfully request withdrawal of the outstanding claim objection.

In view of the foregoing, Applicants believe the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Reg. No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: AUG - 4 2008

Respectfully submitted,

By *mae cyg Douglas*

MTL ~~Andrew D. Meikle~~

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant